

**MINUTES FOR THE COURT OF APPEAL
STATE OF CALIFORNIA
SECOND APPELLATE DISTRICT**

September 22, 2010

DIVISION ONE

Court convened at 9:00 a.m.

Present: Mallano, P.J., Rothschild, J., Chaney, J., Johnson, J. and C. Hon, Deputy Clerk.

B220576 Adoption of Ben D.; C.K. et al. v. D.K.

Argument waived, cause submitted.

Each of the following:

B215773 NIC Insurance v. First Financial Insurance
B223414 Countrywide Financial Corporation v. SCLA (Teratsonian, et al.)

Matter continued to October 19, 2010.

B211597 Flagship Theatres
 v.
 Century Theatres

Matter is ordered off calendar.

B221916 Highland Construction Inc.
 v.
 State Of California Department Of Transportation

Merits:

Argued by Paul M. Mahoney for appellant and by James Ahern for respondent. Cause submitted.

DIVISION ONE (continued)

B220878 Gwen Colleran

v.

Workers' Compensation Appeals Board and City of Los Angeles

Merits:

Argued by Michael D. Kuznetsky for petitioner and by Evelyn R. Dozier, Deputy City Attorney for respondent. Cause submitted.

B216288 Norwood

v.

Shorr

Merits:

Argued by Steve H. Shorr, appellant in propria persona and by Terri L. Norwood, respondent in propria persona. Cause submitted.

B216747 Raymond

v.

Flynt, et al.

Merits:

Argued by Jeremy B. Rosen for appellant and by Gerald M. Serlin for respondent. Cause submitted.

B208927 Kamhout

v.

The Vons Companies, Inc., et al.

Merits:

Argued by V. James DeSimone for appellant and by Jerri L. Johnson for appellants. Cause submitted.

DIVISION ONE (continued)

B216702 Robings, et al.
 v.
 Santa Monica Mountains Conservancy

Merits:
Argued by M. Lois Bobak for appellants and by Christina Bull Arndt,
Deputy Attorney General and James L. Goldman for respondents. Cause
submitted.

Court recessed.

Court reconvened at 11:21 a.m.

Present: Mallano, P.J., Chaney, J., Johnson, J. and C. Hon, Deputy Clerk.

B216447 Dean
 v.
 Prudential Real Estate etc.

Merits:
Argued by Robert M. Ball for appellant and by Steven B. Katz for
respondent. Cause submitted.

B215034 Antounian, et al.
 v.
 Malletier, et al.

Merits:
Argued by Sean E. Macias for appellants and by Mark T. Dooks and Mark
A. Neubauer for respondents. Cause submitted.

Court adjourned.

DIVISION ONE (continued)

B216578 People (Not for Publication)
v.
Collins, Jr.

The judgment is affirmed.

Rothschild, J.

We concur: Mallano, P.J.
 Chaney, J.

DIVISION TWO

B217790 City of Los Angeles (Certified for Publication)
v.
Tesoro Refining and Marketing Company

The judgment in favor of Los Angeles on its complaint is reversed and the trial court is directed to grant Tesoro's motion for summary judgment on its cross-complaint. Tesoro is entitled to its costs on appeal.

Ashmann-Gerst, J.

We concur: Doi Todd, Acting P.J.
 Chavez, J.

B223831 Adeli
v.
Seven for all Mankind, LLC

B227247 Adeli
v.
Seven for all Mankind, LLC

Filed order consolidating above captioned appeals.

DIVISION THREE

B218223 Greene (Not for Publication)
v.
Minuteman Parking Company

The Court:

The judgment is affirmed. Minuteman shall recover costs on appeal.

Klein, P.J. Croskey, J. Kitching, J.

[illegible]

The judgment and order are affirmed. Respondent's motion for sanctions on appeal is denied. Costs on appeal are awarded to plaintiff Steven J. Cooper.

Kitching, J.

We concur: Klein, P.J.
Aldrich, J.

B222828 People (Not for Publication)
v.
Johnnie Benjamin Richmond

The order denying Richmond's petition for writ of coram nobis is affirmed.

Aldrich, J.

We concur: Croskey, Acting P.J.
 Kitching, J.

September 22, 2010 (Continued)

DIVISION THREE (continued)

B222664 People (Not for Publication)
v.
Mario Wilfredo Sorto

The judgment is affirmed.

Croskey, Acting P.J.

We concur: Kitching, J.
 Aldrich, J.

B222292 People (Not for Publication)
v.
Gonzalo Mendez

The order denying Mendez's motion to vacate judgment is affirmed.

Kitching, J.

We concur: Klein, P.J.
Aldrich, J.

B208439 Concerned Residents of Hancock Park, etc. (Not for Publication)
v.
City of Los Angeles, et al.
Yavneh Hebrew Academy, etc.

The judgment is affirmed. Respondents to recover their costs on appeal.

Aldrich, J.

We concur: Klein, P.J.
Croskey, J.

DIVISION THREE (continued)

B221249 Uzyel, et al.
v.
Kadisha

Filed order denying petition for rehearing.

DIVISION FOUR

B215105 Flores, et al. (Certified for Publication)
v.
Enterprise Rent-A-Car Company, et al.

The judgment is affirmed. Respondent(s) to recover costs.

Willhite, Acting P.J.

We concur: Manella, J.
Suzukawa, J.

DIVISION FIVE

B216888 County of Los Angeles (Certified for Publication)
v.
Sahag-Mesrob Armenian Christian School

The judgment is affirmed. The order granting the preliminary injunction request is affirmed. Plaintiff, the County of Los Angeles, shall recover its costs incurred on appeal from defendant, Sahag-Mesrob Armenian Christian School.

Turner, P.J.

We concur: Kriegler, J.
Ferns, J.(Assigned)

DIVISION SIX

[illegible]

The judgment is affirmed.

Perren, J.

We concur: Gilbert, P.J.
Yegan, J.

[illegible]

The judgment is affirmed.

Yegan, J.

We concur: Gilbert, P.J.
Perren, J.

B223137 People (Not for Publication)
v.
Stokes

The judgment (order denying suppression motion) is affirmed.

Yegan, J.

We concur: Gilbert, P.J.
Perren, J.

September 22, 2010 (Continued)

DIVISION SIX (continued)

B216741 People (Not for Publication)
v.
Tomlinson

The judgment upon which each, the People and Tomlinson, appeal is affirmed.

Coffee, J.

We concur: Gilbert, P.J.
 Yegan, J.

B219823 People (Not for Publication)
v.
Brown

The judgment is affirmed.

Coffee, J.

We concur: Gilbert, P.J.
Perren, J.

B219151 People (Not for Publication)
v.
Haberman

The judgment of conviction is affirmed and amended to award an additional 40 days presentence custody credit. (Pen. Code, § 4019, subds. (b)(2) & (c)(2).) The trial court is directed to prepare an amended abstract of judgment to reflect that appellant was awarded 80 days actual credit and 80 days custody credit, and to forward a certified copy of the amended abstract of judgment to the Department of Corrections and Rehabilitation. As amended, the judgment is affirmed.

Yegan, Acting P.J.

We concur: Coffee, J.
Perren, J.

September 22, 2010 (Continued)

DIVISION SIX (continued)

B220741 People (Not for Publication)
v.
Gallegos

The matter is remanded for recalculation of presentence credit. In all other respects, the judgment is affirmed.

Gilbert, P.J.

We concur: Coffee, J.
Perren, J.

B222213 People (Not for Publication)
v.
Macias

The judgment (order of commitment) is affirmed.

Perren, J.

We concur: Gilbert, P.J.
 Coffee, J.

DIVISION SEVEN

B221656 In re Cesar Chavez on Habeas Corpus (Not for Publication)

The trial court's grant of petition for writ of habeas corpus is affirmed. The Governor's decision reversing the Board's 2008 decision granting petitioner parole is vacated and the Board's parole release order is reinstated. Petitioner shall remain released from custody on parole under the terms and conditions prescribed by the BPH.

Zelon, J.

We concur: Woods, Acting P.J.
Jackson, J.

September 22, 2010 (Continued)

DIVISION SEVEN (continued)

B215096 Sandra Corrales Favila
v.
Katten Muchin Rosenman LLP, et al.

B216822 Sandra Corrales Favila
v.
Katten Muchin Rosenman LLP, et al.

Filed order modifying opinion. Petition for rehearing is denied. (No change in judgment)

DIVISION EIGHT

B211873 Vertullo (Not for Publication)
v.
Warehouse

Summary adjudication of the first and second causes of action is affirmed. The judgment is reversed as to the third and fourth causes of action and remanded for further proceedings. The parties shall bear their own costs on appeal.

Grimes, J.

We concur: Bigelow, P.J.
Flier, J.

B217060 La Mirada Avenue Neighborhood Assoc., etc. (Not for Publication)
v.
City of Los Angeles, et al.

The judgment is affirmed. Respondents are to recover their costs on appeal.

Flier, J.

We concur: Rubin, Acting P.J.
Grimes, J.

DIVISION EIGHT (continued)

B206569 People (Certified for Partial Publication)
v.
Donald Sanders

The judgment is reversed to the extent that it imposes a term of seven years on count 2 and the case is remanded with directions to impose one-third of the midterm for this offense. In all other respects, the judgment is affirmed.

Flier, J.

We concur: Bigelow, P.J.
Rubin, J.

B216774 People
v.
Hampton

Filed order denying petition for rehearing.